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January 9, 2012

Honorable Joan M. Azrack
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Local #46 Metallic Lathers Union and Reinforcing Iron Workers Welfare Trust et. al. v.
Aggregates Plus, Ltd et al.
Case No. CV 09-2615 (JMA)

Cement and Concrete Workers et. al. v. Aggregates Plus Ltd. et. al.
Case No. CV 09-2616 (JMA)

Dear Judge Azrack,

We represent the defendant Aggregates Plus, Ltd. in the above entitled actions. I submit this letter pursuant your Order dated December 7, 2011 directing the submission of a status report in the event this matter has not been settled.

While my client remains interested in settling this matter, we have not yet taken the final steps towards resolution of this matter. Mr. Kaming and Mr. Wojak have both requested that a conference with the Court be scheduled wherein my client's appearance would be mandated in an effort to communicate the potential consequences that will arise if a settlement is not reached.

My client understands and appreciates the Court's patience in this matter and I respectfully request an adjournment of this matter until the last week of January, 2012 for a conference with the Court in accordance with the respective requests of Mr. Kaming and Mr. Wojak.

Please be advised that I have court ordered depositions in a state matter on January 18, 19, and 20, 2012.

Sincerely,

NEIL B. GALFUNT, ESQ.

Via Electronic Filing

cc: Joseph S. Kaming, Esq.
John S. Wojak, Esq.